



06-19-00

GP 1632  
VM 208-00  
# 7

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (6-98)  
Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/330,909
	Filing Date	6/11/99
	First Named Inventor	Jon A. Wolff
	Group Art Unit	1632
	Examiner Name	J. Weitach
Total Number of Pages in This Submission	Attorney Docket Number	Mirus.011.01

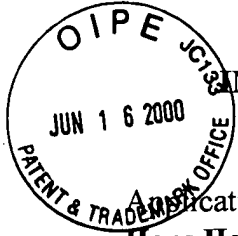
RECEIVED  
JUN 23 2000  
TECH CENTER 1600/2800

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Small Entity Statement	
	<input type="checkbox"/> Request for Refund	
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Mark K. Johnson
Signature	
Date	June 15, 2000

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: June 15, 2000			
Typed or printed name		Mark K. Johnson	
Signature		Date	June 15, 2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant of: Jon A. Wolff, )  
Hans Herweijer, Larry F. Whitesell )  
and Matthew R. Wolff )  
Serial No.: 09/330,909 )  
Filed: 6/11/99 )

For: **A Process For Delivering Nucleic Acids To Cardiac Tissue**

INFORMATIONAL STATEMENT

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. 1.56, applicant hereby calls to the attention of the Patent and Trademark Office the publications listed on the attached PTO 1449. One copy of each publication is attached.

UNITED STATES PATENTS

<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
5,698,531	Nabel et al.	12/16/97
5,792,453	Hammond et al.	8/11/98

FOREIGN PATENTS

<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
-------------------	-----------------	-------------------

REFERENCES CITED

Donahue, JK. Et al., "Acceleration of Widespread Adenoviral Gene Transfer to Intact Rabbit Hearts by Coronary Perfusion With Low Calcium and Serotonin." Gene Therapy 1998; Vol. 5; 630-634.

Gal, Dov Et al., "Direct Myocardial Transfection In Two Animal Models." Laboratory

Investigation 1993; Vol. 68, No. 1; p. 18.

Hajjar, Roger J. Et al., "Modulation of Ventricular Function Through Gene Transfer *In Vivo*." Proc. Natl. Acad. Sci. USA April 1998; Vol. 95, pp. 5251-5256.

Lazarous, Daisy F. Et al., "Adenoviral-Mediated Gene Transfer Induces Sustained Pericardial VEGF Expression in Dogs: Effect on Myocardial Angiogenesis." Cardiovascular Research 1999; Vol. 44, pp. 294-302.

March, Keith L. Et al., "Efficient *In Vivo* Catheter-Based Pericardial Gene Transfer Mediated by Adenoviral Vectors." Clinical Cardiology 1999; Vol. 22, 1-23-1-29.

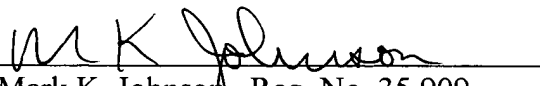
Maurice, John P. Et al., "Enhancement of Cardiac Function After Adenoviral-Mediated *In Vivo* Intracoronary B2-Adrenergic Receptor Gene Delivery." The Journal of Clinical Investigation July 1999; Vol. 104, No. 1, pp. 21-29.

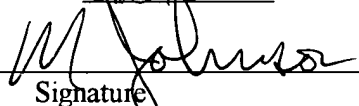
Vale, Peter R. Et al., "Catheter-Based Myocardial Gene Transfer Utilizing Nonfluoroscopic Electromechanical Left Ventricular Mapping." Journal of the American College of Cardiology July 1999, Vol. 34, No. 1, pp. 246-254.

Wright, MJ Et al., "*B*-Galactosidase Staining Following Intracoronary Infusion of Cationic Liposomes in the *In Vivo* Rabbit Heart is Produced by Microinfarction Rather Than Effective Gene Transfer: A Cautionary Tale." Gene Therapy 1998; Vol. 5, pp. 301-308.

Applicant respectfully requests that these publications be expressly considered during the prosecution of this application and made of record herein and appear among the 'References Cited' on any patent to issue herefrom.

Respectfully submitted,

  
 Mark K. Johnson Reg. No. 35,909  
 P.O. Box 510644  
 New Berlin, WI 53151-0644  
 (262) 821-5690

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on <u>6/15/00</u>	
<u>6/14/00</u> Date of Signature	 Signature

EK631850410US